

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

23-CR-139-LJV-MJR  
DECISION & ORDER

ERIC STEVEN ARROYO,

Defendant.

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1. On March 27, 2024, the defendant, Eric Steven Arroyo, pleaded guilty to Count 1 of the information charging a violation of Title 18, United States Code, Section 1708 (theft of mail). Docket Item 24.

2. On March 27, 2024, the Honorable Michael J. Roemer, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 26.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Roemer's Report & Recommendation (Docket Item 26), the plea agreement (Docket Item 24), the information (Docket Item 23), a transcript of the plea proceeding (Docket Item 27), and the applicable law. This Court finds no legal or factual error in Judge Roemer's Report & Recommendation and therefore adopts Judge Roemer's recommendation that the

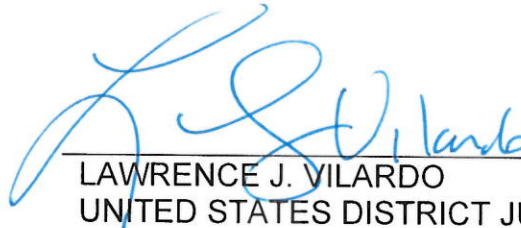
defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Count 1 of the information.

IT IS HEREBY ORDERED that this Court adopts Judge Roemer's March 27, 2024 Report & Recommendation, Docket Item 26, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Eric Steven Arroyo, is now adjudged guilty of Count 1 of the information under Title 18, United States Code, Section 1708.

SO ORDERED.

Dated: May 30, 2024  
Buffalo, New York

  
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LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE